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September 6, 2005

**TARA J. MYSLINSKI**  
617-854-1450  
tara.myslinski@hklaw.com

***By First Class Mail***  
Civil Clerk's Office  
United States District Court  
Eastern District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way  
Boston, MA 02210

Re: Fireman v. News America Marketing In-Store, Inc.,  
Civil Action No. 05-11740MLW

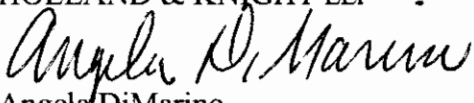
Dear Sir/Madam:

Enclosed for filing please find a docket sheet belonging to C.A. No. 05-11740MLW, which was inadvertently omitted from the Superior Court's package of certified documents that were filed with the district court on August 30, 2005.

Should you have any questions, please do not hesitate to contact our office and ask for Attorney Tara Myslinski at the above number. Thank you.

Very truly yours,

HOLLAND & KNIGHT LLP

  
Angela DiMarino,  
Assistant to Tara J. Myslinski

ADM/bms  
Enclosure

# 3200437\_v1

## SUCV2005-03378

## Fireman et al v News America Marketing in-Store Inc

<b>File Date</b>	08/08/2005	<b>Status</b>	Disposed: transfered to other court (dtrans)	
<b>Status Date</b>	08/26/2005	<b>Session</b>	H - Civil H, 3 Pemberton Square, Boston	
<b>Origin</b>	1	<b>Case Type</b>	A99 - Misc contract	
<b>Lead Case</b>		<b>Track</b>	F	
<b>Service</b>	11/06/2005	<b>Answer</b>	01/05/2006	<b>Rule 12/19/20</b> 01/05/2006
<b>Rule 15</b>	01/05/2006	<b>Discovery</b>	06/04/2006	<b>Rule 56</b> 07/04/2006
<b>Final PTC</b>	08/03/2006	<b>Disposition</b>	10/02/2006	<b>Jury Trial</b> Yes

## PARTIES

## Plaintiff

Robert Fireman  
Active 08/08/2005

## Private Counsel 550522

Kevin T Peters  
Todd & Weld  
28 State Street  
31st Floor  
Boston, MA 02109  
Phone: 617-720-2626  
Fax: 617-227-5777  
Active 08/08/2005 Notify

## Plaintiff

Ann Raider  
Active 08/08/2005

## Defendant

News America Marketing in-Store Inc  
Served: 08/11/2005  
Served (answr pending) 08/16/2005

## Private Counsel 261080

Gordon P Katz  
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Boston, MA 02116  
Phone: 617-523-2700  
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Active 08/26/2005 Notify

## Private Counsel 644936

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Active 08/26/2005 Notify

## ENTRIES

Date	Paper	Text
08/08/2005	1.0	Complaint filed with request for trial by jury all counts

**SUCV2005-03378****Fireman et al v News America Marketing in-Store Inc**

Date	Paper	Text
08/08/2005		Origin 1, Type A99, Track F.
08/08/2005	2.0	Civil action cover sheet filed
08/08/2005	3.0	Motion of plff for appointment of Robert Messina as special process server, filed & allowed (Sikora,J)
08/16/2005	4.0	SERVICE RETURNED: News America Marketing in-Store Inc(Defendant) in hand to Ms. Susan Paxton
08/26/2005		Certified copy of petition for removal to U. S. Dist. Court of Deft.New America Marketing In-Store, Inc. U. S. Dist.#(05-11740MLW).
08/26/2005		Case REMOVED this date to US District Court of Massachusetts

**EVENTS****I HEREBY ATTEST AND CERTIFY ON****AUGUST 26, 2005****THAT THE****FOREGOING DOCUMENT IS A FULL,  
TRUE AND CORRECT COPY OF THE  
ORIGINAL ON FILE IN MY OFFICE,  
AND IN MY LEGAL CUSTODY.****MICHAEL JOSEPH CONOVAN****CLERK / MAGISTRATE****SUFFOLK SUPERIOR CIVIL COURT****DEPARTMENT OF THE TRIAL COURT****BY:****ASSISTANT CLERK.**

*Suffolk Superior Civil # 05-3378*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

ROBERT FIREMAN and ANN RAIDER

Plaintiffs,

v.

NEWS AMERICA MARKETING IN-STORE,  
INC.,

Defendant.

Civil Action No.

05 - 11740 MLW



I hereby certify that the foregoing document is true and correct copy of the electronic docket in the captioned case electronically filed original filed on 8/23/05 original filed in my office on 8/23/05  
Sarah A. Thornton  
Clerk, U.S. District Court  
District of Massachusetts

**NOTICE OF REMOVAL**

Dep't of Clerk's Office

Defendant News America Marketing In-Store, Inc. (hereinafter "News America") files

this Notice of Removal of the civil action filed against it by plaintiffs Robert Fireman and Ann Raider to the United States District Court for the District of Massachusetts, pursuant to the provisions of 28 U.S.C. §§ 1441, 1446, and 1332, on the basis of the following facts that show this case is properly removable:

1. Plaintiffs filed a complaint against defendant in Suffolk County Superior Court on August 8, 2005. The case is styled *Robert Fireman and Ann Raider v. News America Marketing In-Store, Inc.*, Suffolk (Massachusetts) Superior Court, Civil Action No. 05-3378. (A true copy of the Complaint is attached hereto as Exhibit A.)
2. The time within which defendant is required by the laws of the United States, 28 U.S.C. § 1446(b), to file this Notice of Removal has not yet expired.
3. Plaintiff Robert Fireman is an individual residing at 241 Perkins Street, #D-104, Jamaica Plain, Massachusetts. (See Complaint, Ex. A hereto).
4. Plaintiff Ann Raider is an individual residing at 46 Ivy Road, Wellesley, Massachusetts. (See Complaint, Ex. A hereto).

RECEIVED IN CLERK'S OFFICE

DATE: 8/23/05

SUFFOLK SUPERIOR COURT  
CIVIL CLERK OFFICE  
2005 AUG 26 P 2:52  
MICHAEL JOSEPH DONNAN  
CLERK/MAGISTRATE